

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**MEMORANDUM**

Case No. CR 11-781 DSF

Date: 8/12/15

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| Present: The Honorable | DALE S. FISCHER, UNITED STATES DISTRICT JUDGE |
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| Interpreter: | None Present |
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|                     |                       |                                |
|---------------------|-----------------------|--------------------------------|
| Debra Plato         | None Present          | Not Present                    |
| <i>Deputy Clerk</i> | <i>Court Reporter</i> | <i>Assistant U.S. Attorney</i> |

| U.S.A. v. Defendant(s) | Present | Cust. | Bond | Attorney(s) for Defendant(s): | Present | App. | Ret. |
|------------------------|---------|-------|------|-------------------------------|---------|------|------|
| Raul Sandoval-Andrade  | Not     |       |      | Pro Se                        |         |      |      |

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| <b>Proceedings:</b> | (IN CHAMBERS) Order Deeming Motion Made Pursuant to 18 U.S.C. § 3582(c)(2) and Denying Motion (Docket # 44) |
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Defendant has filed a motion - titled Motion under 28 U.S.C. § 2255 - seeking to have the Court reduce his sentence pursuant to Amendment 782. The Court deems the motion to be one for reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2).

Defendant apparently believes he was sentenced pursuant to the Guidelines range in place prior to the effective date of Amendment 782. He is incorrect. He was sentenced on December 15, 2014, and the Court began its analysis by determining the post-Amendment offense level of 29 and the corresponding Guidelines range. The Court then further reduced defendant's sentence based on the government's request for a further two level downward Booker variance. The Court declines to reduce defendant's sentence any further.

The Motion is DENIED.